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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.622(b)	)	
DTV Table of Allotments	)	MM Docket No. _____
Television Broadcast Stations	)	RM - _____
(Albany, Georgia)	)	

To: Chief, Video Services Division
Mass Media Bureau

PETITION FOR RULE MAKING

Waitt License Company of Georgia, L.L.C. ("Waitt"), licensee of Station WFXL(TV), Albany, Georgia, by its attorney and pursuant to Section 1.401, *et seq.*, of the FCC's Rules, hereby petitions the Commission to amend its DTV Table of Allotments as contained in Section 73.622(b) by changing WFXL's DTV frequency to Channel 12 from the allotted Channel 30.

In support whereof, the following is shown.

The Commission allotted Channel 30 for transitional DTV use for WFXL, which presently operates on UHF Channel 31.

Per Rule 73.622(b), requests to amend the DTV Table to change the channel of an allotment in the DTV Table are to be evaluated for technical acceptability using engineering

criteria set forth in Section 73.623(c). Annexed hereto is the Engineering Statement of Bernard R. Segal, P.E., establishing full compliance with the applicable rule.

The proposed Channel 12 DTV allotment specifies operation from the same site as the current WFXL operation. Such collocation of analog and digital facilities "will serve the public interest by reducing the need for modifying existing broadcast towers or constructing new towers to house digital television facilities, and by ameliorating adjacent channel interference concerns." ***J.S. Kelly, L.L.C.***, 13 FCC Rcd 23632, 23636 ¶11 (MM Bur. 1998).

The Engineering Statement demonstrates that the entire community of Albany will be encompassed by the station's proposed 36 dBu, F(50,90) contour, and that, therefore, this Petition complies, as per Section 73.623(c)(1), with the principal community coverage requirement of Section 73.625(a).

The Engineering Statement further establishes, in conformance with Section 73.623(c)(2) of the Rules, that no NTSC station or DTV allotment would receive interference from the proposed Channel 12 WFXL-DT facility in excess of the *de minimis* 2% allowable level; and that the cumulative interference, where the proposed WFXL-DT facility would cause interference to any NTSC station or DTV allotment, will not exceed the maximum allowable level of 10%. Indeed, there are no DTV stations or allotments on Channel 12 which are close enough to merit consideration.

Based upon the two studies performed, the Engineering Statement concludes that the proposed allotment satisfies all FCC criteria.

WHEREFORE, for the foregoing reasons, Waitt requests that the Commission grant this Petition and amend the DTV Table of Allotments to substitute Channel 12 for Channel 30 at Albany, Georgia, as WFXL's digital television frequency.

Respectfully submitted,

WAITT LICENSE COMPANY OF GEORGIA, L.L.C.

By: _____
Lawrence Bernstein

Its Attorney

LAW OFFICES OF LAWRENCE BERNSTEIN
1818 N Street, NW
Suite 700
Washington, D.C. 20036
(202) 296-1800

Attachment

June 24, 1999

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

ENGINEERING STATEMENT
PREPARED ON BEHALF OF
WAITT LICENSE COMPANY OF GEORGIA, L.L.C.
ALBANY, GEORGIA

The instant Engineering Statement has been prepared on behalf of Waitt License Company of Georgia, L.L.C., the licensee of NTSC station WFXL, Albany, Georgia. Engineering support is provided for a petition to amend the DTV Table of Allotments, Section 73.622(b) of the Rules. The FCC allotted Ch. 30 for transitional DTV use for NTSC station WFXL. Station WFXL operates on UHF Ch. 31. The instant Engineering Statement provides support for amendment of the DTV Table of Allotments to specify Ch. 12 in lieu of Ch. 30.

The proposed Ch. 12 DTV allotment is for operation from the same site as the current WFXL operation. The geographic coordinates for the WFXL tower location are: 31° 19' 52" North Latitude; 83° 51' 43" West Longitude. The foregoing geographic coordinates are based on NAD 1927. A directional antenna will be employed with maximum effective radiated power of 60 kW, average. The antenna radiation center height above average terrain will be 287 meters.

The particulars for the directional antenna which will be used are provided in Figures 1 and 2. Figure 1 is the azimuth pattern for the antenna and Figure 2 is a tabulation of relative field and effective radiated power data for the antenna.

In compliance with the requirements of Section 73.623(c), studies are provided which demonstrate that the proposed change in the allotment table will permit a facility that satisfies the coverage and allocation criteria of the recited rule.

Figure 3 is a map demonstrating the extent of coverage of the 36 dBμ, F(50,90) contour for the proposed allotment. Figure 4 is a tabulation of terrain elevation data and distances to the 36 dBμ, F(50,90) contour used for the preparation of Figure 3. Figure 3 demonstrates that the entire community of Albany will be encompassed and that the proposed allotment, therefore, complies with the principal community coverage requirement of Section 73.625(a).

As to allocation concerns, the study provided herein as Figure 5 demonstrates that no NTSC station would receive interference from the proposed WFXL-DT, Ch. 12, facility affecting population in excess of the de minimis 2% allowable level. The cumulative interference, where the proposed WFXL-DT facility would cause interference to any NTSC station, will not exceed the maximum allowable of 10%. There are no DTV stations or allotments on Ch. 12 or adjacent channels which are close enough to merit consideration.

The study of Figure 5 was performed using an FCC matched computer analysis taking into account all allocation factors. A computer using an Alpha processor was employed in conjunction with the FCC's FLR software. For each station studied, the reference information from Appendix B of the Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order in MM Docket Number 87-268 is listed in Figure 5 for comparison with the results obtained independently using the Alpha processor with the FCC's FLR software. The independently determined calculation results are in excellent agreement with the FCC's Appendix B results.

Two studies were performed. The first study took into account the current Appendix B allotment facilities for WFXL-DT that provided a reference for comparison with the results of the second study which included the effect of the proposed new Ch. 12 DTV allotment for WFXL-DT. As demonstrated in Figure 5, the proposed allotment satisfies all FCC criteria.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 1999.

Bernard R. Segal, P.E.

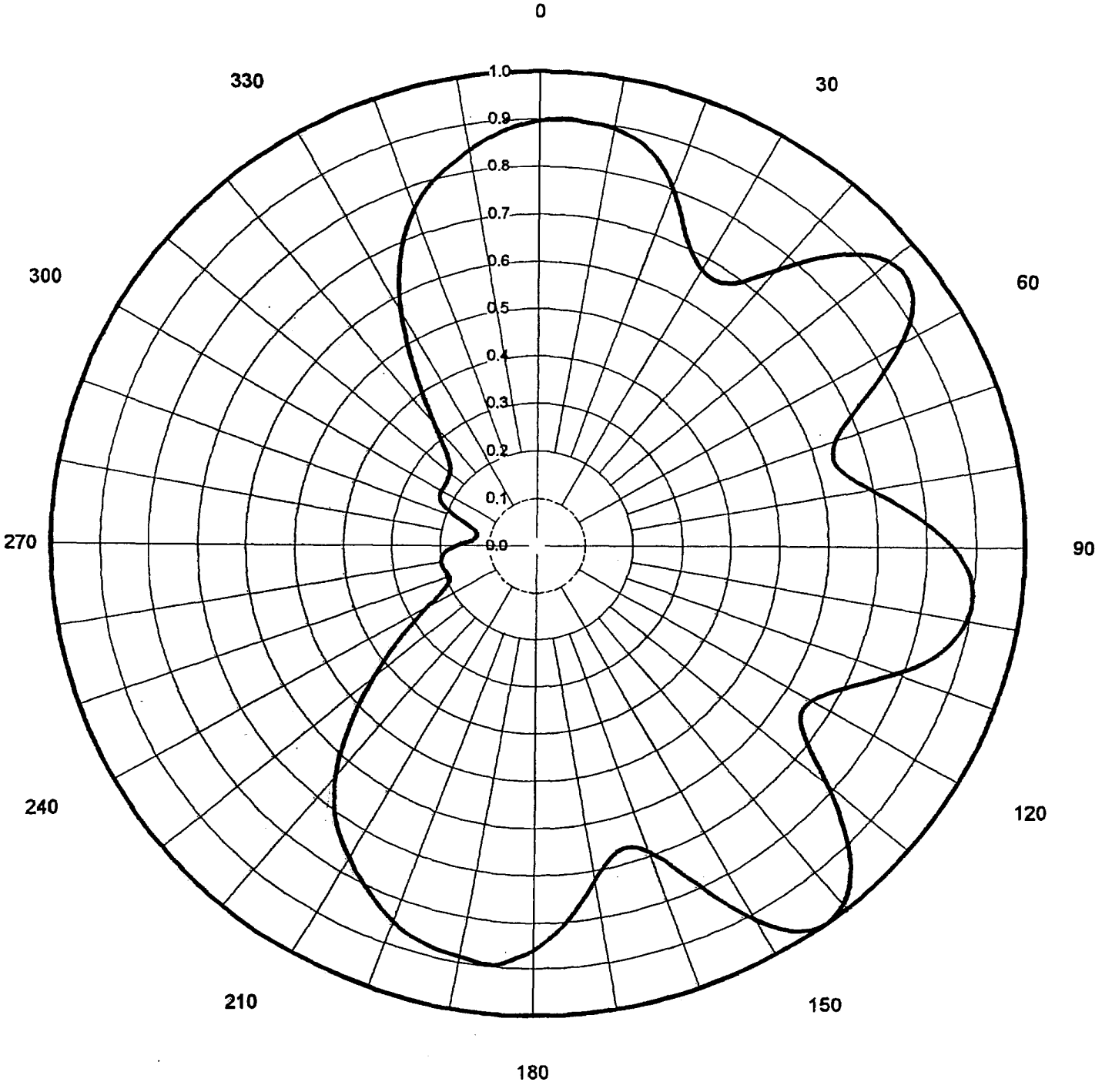
Figure 1

Dielectric

Proposal Number	DCA-8243		
Date	2-May-99		
Call Letters	WFXL-DT	Channel	12
Location	Albany, GA		
Customer			
Antenna Type	THP-SP4-4S-1		

AZIMUTH PATTERN

Gain	2.10	(3.22 dB)	Frequency	207.00 MHz
Calculated / Measured	Calculated		Drawing #	THP-SP4-12



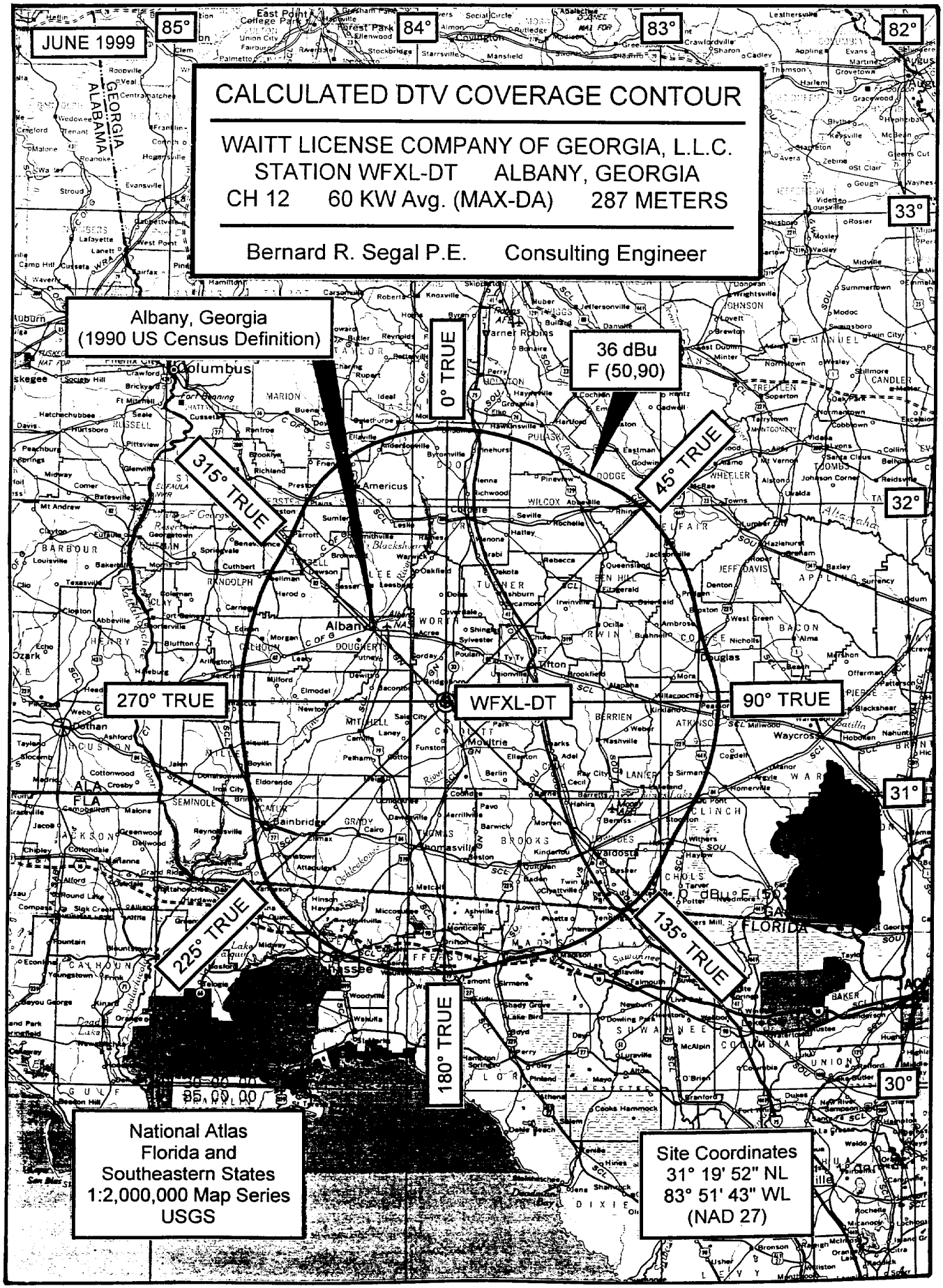
ENGINEERING STATEMENT
PREPARED ON BEHALF OF
WAITT LICENSE COMPANY OF GEORGIA, L.L.C.
ALBANY, GEORGIA

Tabulation of Data for Radiation Pattern

Azimuth (deg. T)	Relative Field	Effective Radiated Power (kW)	Azimuth (deg. T)	Relative Field	Effective Radiated Power (kW)
0	0.895	48.1	150	0.914	50.1
3*	0.901	48.7	160	0.689	28.5
10	0.894	48.0	163**	0.667	26.7
20	0.804	38.8	170	0.722	31.3
30	0.673	27.2	180	0.861	44.5
32**	0.668	26.8	186*	0.896	48.2
40	0.760	34.7	190	0.888	47.3
50	0.939	52.9	200	0.850	43.4
52**	0.947	53.8	210	0.766	35.2
60	0.861	44.5	220	0.642	24.7
70	0.651	25.4	230	0.436	11.4
73**	0.635	24.2	240	0.257	3.96
80	0.696	29.1	250**	0.192	2.21
90	0.853	43.7	260*	0.201	2.42
98*	0.900	48.6	270	0.167	1.67
100	0.895	48.1	280**	0.127	0.968
110	0.786	37.1	290	0.177	1.88
120	0.656	25.8	300	0.229	3.15
122**	0.650	25.4	310	0.236	3.34
130	0.785	37.0	320	0.328	6.46
140	0.987	58.5	330	0.564	19.1
143*	1.000	60.0	340	0.752	33.9
			350	0.844	42.7

* Local Maximum Bearing.
** Local Minimum Bearing.

Figure 3


JUNE 1999
CALCULATED DTV COVERAGE CONTOUR
WAITT LICENSE COMPANY OF GEORGIA, L.L.C.
STATION WFXL-DT ALBANY, GEORGIA
CH 12 60 KW Avg. (MAX-DA) 287 METERS
Bernard R. Segal P.E. Consulting Engineer
Albany, Georgia
(1990 US Census Definition)
36 dBu
F (50,90)
0° TRUE
45° TRUE
90° TRUE
135° TRUE
180° TRUE
225° TRUE
270° TRUE
315° TRUE
WFXL-DT
85°
84°
83°
82°
33°
32°
31°
30°
National Atlas
Florida and
Southeastern States
1:2,000,000 Map Series
USGS
Site Coordinates
31° 19' 52" NL
83° 51' 43" WL
(NAD 27)
MILES
KILOMETRES

ENGINEERING STATEMENT
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Tabulation of Average Elevations and
Distances to the DTV Coverage Contour

Azimuth (deg. T.)	3.2-16.1 km Terrain Average (mAMSL)	Radiation Center Above Terrain Average (m)	ERP (Avg.) Employed (kW)	Distance to 36 dBμ, F(50,90) Contour (km)
0	117	273	48.1	103.5
15	110	280	43.3	102.9
30	106	284	27.2	99.3
45	102	288	43.4	103.3
60	100	290	44.5	103.6
75	100	290	27.2	99.6
90	97	293	43.7	103.6
105	106	284	42.5	102.9
120	105	285	25.8	98.9
135	104	286	47.2	103.9
150	93	297	50.1	105.0
165	91	299	29.9	100.9
180	98	292	44.5	103.7
195	103	287	45.3	103.6
210	100	290	35.2	101.6
225	103	287	17.4	95.9
240	102	288	3.96	84.6
255	98	292	2.32	80.8
270	96	294	1.67	78.4
285	100	290	1.39	76.8
300	109	281	3.15	82.6
315	110	280	4.78	85.7
330	112	278	19.1	96.3
345	109	281	38.3	101.9
Average for eight standard radials	103	287		

Note: The NGDC 30" terrain elevation database was used to determine the 3.2-16.1 km terrain averages.

ENGINEERING STATEMENT
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WAITT LICENSE COMPANY OF GEORGIA, L.L.C.
ALBANY, GEORGIA

NTSC Allocation Study for Proposed WFXL-DT Allotment
Ch. 12, 60 kW Avg. (MAX-DA), 287 m
NAD 1927 Site Coordinates: 31° 19' 52" North Latitude; 83° 51' 43" West Longitude
Antenna Radiation Center: 390 mAMSL

Ch. Relation-ship[1]	Potentially Affected NTSC Station	Appendix B Data: Current Svc. Pop. (Thous.)	Appendix B Data: Allotted DTV Interf. (%)	Independent Calculations: Current Svc. Pop. (Thous.)	Noise Lmtd. Pop. (Thous.)	Allotted DTV Interference (Thous.)	Allotted DTV Interference (%)	New Interference from proposed WFXL-DT (Thous.)	New Interference from proposed WFXL-DT (%)	Cum-ulative DTV Interf. (%)
n-0	WSFA, Montgomery, AL Ch. 12, 316 kW, 610 m	868	0.0	866	901	0	0.0	17	1.9	1.9
	WRDW-TV, Augusta, GA Ch. 12, 316 kW, 485 m	921	0.0	924	1186	0	0.0	11	0.9	0.9
	WDEF-TV, Chattanooga, TN Ch. 12, 316 kW, 384 m	1,001	0.0	1,003	1,003	0	0.0	0	0.0	0.0
	WTLV, Jacksonville, FL Ch. 12, 316 kW, 296 m	1,091	2.2	1,090	1,091	23	2.1	8	0.7	2.8
n-1	WMBB, Panama City, FL Ch. 13, 316 kW, 437 m	511	0.0	509	572	0	0.0	0	0.0	0.0
	WMAZ-TV, Macon, GA Ch. 13, 316 kW, 238 m	590	0.0	594	661	0	0.0	0	0.0	0.0
n+1	WFSU-TV, Tallahassee, FL Ch. 11, 316 kW, 232 m	384	0.0	383	423	0	0.0	0	0.0	0.0
	WXIA-TV, Atlanta, GA Ch. 11, 316 kW, 320 m	3,314	0.0	3,323	3,345	0	0.0	0	0.0	0.0
	WTOC-TV, Savannah, GA Ch. 11, 316 kW, 445 m	673	0.8	673	697	4	0.6	0	0.0	0.6

[1] n = desired station's channel.

Figure 5